

# EXHIBIT O

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

This Document Relates To: All Actions

Case No. 1:16-cv-08637

~~PROPOSED~~ SCHEDULING ORDER  
NO. 14



This Scheduling Order No. 14 supersedes the Court's previous Scheduling Order No. 2 (ECF Dkt. 574) issued on December 15, 2017, Scheduling Order No. 6 issued on September 13, 2018 (ECF Dkt. 1230), Scheduling Order No. 12 issued on July 15, 2019 (ECF Dkt. No. 2322), and Scheduling Order No. 13 issued on January 29, 2020 (ECF Dkt. No. 3420). The parties are directed to the separate Search Methodology Order (ECF Dkt. 586) for any additional deadlines relating to the search of electronically stored information. Additionally, the Court orders that the requirement of Fed. R. Civ. P. 45(a)(4) for notice to other parties before service of a subpoena shall be 4 business days after the day notice and a copy of the subpoena are provided, which shall be computed pursuant to Fed. R. Civ. P. 6(a)(1).

A party receiving objections or productions from a third party in response to a Rule 45 subpoena will serve a copy of those objections or documents on other parties within 7 days, unless otherwise agreed. A party that receives a non-Bates numbered production (or production without a load file) from a third party in response to a Rule 45 subpoena shall serve those documents on other parties within 10 days, unless otherwise agreed by the parties. A party receiving a production from a third party in response to a Rule 45 subpoena that includes information relating to a deposition scheduled within 7 days must notify all parties within 48 hours of receipt.

<u>Event</u>	<u>Deadline</u>
<b>Filing of Class Plaintiffs' Motions for Class Certification &amp; Expert Reports</b>	October 30, 2020
<b>Filing of Defendants' Responses on Class Certification and Class Expert Reports</b> <b>Filing of Defendants' <i>Daubert</i> Motions on Class Plaintiffs' Class Certification Experts</b>	January 22, 2021
<b>Filing of Class Plaintiffs' Reply Briefs on Class Certification and Rebuttal Expert Reports</b> <b>Filing of Class Plaintiffs' Opposition to Defendants' <i>Daubert</i> Motions</b> <b>Filing of Class Plaintiffs' <i>Daubert</i> Motions on Defendants' Class Certification Expert(s)</b>	March 15, 2021
<b>Parties to identify initial set of documents requiring Meet and Confer per order at Dkt. 3727<sup>1</sup></b>	April 12, 2021 <sup>2</sup>
<b>Filing of Defendants' Reply in Support of <i>Daubert</i> Motions Against Class Plaintiffs' Class Certification Expert(s)</b>	April 22, 2021
<b>Filing of Defendants' Opposition to Class Plaintiffs' <i>Daubert</i> Motions on Defendants' Class Certification Experts(s)</b>	April 22, 2021

<sup>1</sup> None of the provisions herein related to the exchange of documents and for a meet and confer process per Dkt. 3727 are intended to moot the Court's directives, also in Dkt. 3727, for the parties to continue to try and reach agreement on the authenticity and admissibility of certain documents or categories of documents.

<sup>2</sup> It is understood that all Parties will make a good faith effort to identify by April 12, 2021, all documents which they have identified as requiring Meet and Confer per order at Dkt. 3727, and that the June 18 deadline is intended to be a much smaller supplemental list.

<u>Event</u>	<u>Deadline</u>
<b>Filing of Class Plaintiffs' Reply in Support of <i>Daubert</i> Motions on Defendants' Class Certification Experts(s)</b>	May 6, 2021 <sup>3</sup>
<b>Deadline to conclude Meet and Confer regarding initial set of documents per Dkt. 3727</b>	June 4, 2021
<b>Deadline to Complete All Merits Fact Discovery<sup>4</sup></b>	June 11, 2021
<b>Parties to identify supplemental documents for Meet and Confer per Dkt. 3727</b>	June 18, 2021
<b>Plaintiffs' Affirmative Merits Expert Reports Due</b>	July 2, 2021
<b>Deadline to conclude Meet and Confer regarding supplemental set of documents per Dkt. 3727</b>	July 14, 2021
<b>Joint Submission on any additional discovery requested per Dkt. 3727</b>	July 21, 2021
<b>Deadline to Depose Plaintiffs' Merits Experts</b>	July 30, 2021
<b>Defendants' Affirmative &amp; Rebuttal Merits Expert Reports Due</b>	August 27, 2021

<sup>3</sup> The Court understands that Defendants intend to ask for an evidentiary hearing on the class certification motion. If such a hearing is set, it will be set on a date to be determined.

<sup>4</sup> The United States Department of Justice ("DOJ") has objected to some depositions proceeding due to its pending criminal prosecution and additional investigation. Rather than delaying the forward progress of the case, sixty days before the close of the fact discovery, Plaintiffs (1) shall advise the Court of the depositions they wish to take to which the DOJ is still objecting and (2) may petition the Court for appropriate relief to minimize prejudice to Plaintiffs. The parties will work in good faith to resolve any disputes in this regard without Court intervention.



<u>Event</u>	<u>Deadline</u>
Deadline to Depose Defendants' Merits Experts	September 24, 2021
Plaintiffs' Rebuttal Merits Expert Reports Due	October 22, 2021
Deadline to Depose Plaintiffs' Rebuttal Merits Experts	November 5, 2021
Summary Judgment Opening Briefs & Merits <i>Daubert</i> Motions Filed <sup>5</sup>	November 16, 2021
Summary Judgment Responses & Merits Expert <i>Daubert</i> Responses Filed	January 18, 2022
Summary Judgment Replies & Merits Expert <i>Daubert</i> Replies Filed	February 22, 2022
First Trial Commences <sup>6</sup>	October 17, 2022

SO ORDERED.

Dated: 8/28/20

  
 HON. JEFFREY T. GILBERT  
 U.S. MAGISTRATE JUDGE

<sup>5</sup> Pre-summary judgment motion conference with Judge Durkin to be set on a date to be determined.

<sup>6</sup> The Court will decide the number, sequence and timing of trials at a later date.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

This Document Relates To: All Actions

Case No. 1:16-cv-08637

**SCHEDULING ORDER NO. 15**

This Scheduling Order No. 15 supersedes the Court's previous Scheduling Order No. 2 (ECF Dkt. 574) issued on December 15, 2017, Scheduling Order No. 6 issued on September 13, 2018 (ECF Dkt. 1230), Scheduling Order No. 9 issued on November 19, 2018 (ECF Dkt. 1416), Scheduling Order No. 12 issued on July 15, 2019 (ECF Dkt. No. 2322), Scheduling Order No. 13 issued on January 29, 2020 (ECF Dkt. No. 3420) and Scheduling Order No. 14 (ECF Dkt. 3788) issued on August 28, 2020. The parties are directed to the transcript of the May 7, 2021 hearing at which this Scheduling Order No. 15 was discussed. *See* [ECF Dkt. No. 4625]. The parties also are directed to the separate Search Methodology Order (ECF Dkt. 586) for any additional deadlines relating to the search of electronically stored information. Additionally, the Court orders that the requirement of Fed. R. Civ. P. 45(a)(4) for notice to other parties before service of a subpoena shall be 4 business days after the day notice and a copy of the subpoena are provided, which shall be computed pursuant to Fed. R. Civ. P. 6(a)(1).

A party receiving objections or productions from a third party in response to a Rule 45 subpoena will serve a copy of those objections or documents on other parties within 7 days, unless otherwise agreed. A party that receives a non-Bates numbered production (or production without a load file) from a third party in response to a Rule 45 subpoena shall serve those documents on

other parties within 10 days, unless otherwise agreed by the parties. A party receiving a production from a third party in response to a Rule 45 subpoena that includes information relating to a deposition scheduled within 7 days must notify all parties within 48 hours of receipt.

<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Filing of Class Plaintiffs' Opposition to Defendants' <i>Daubert</i> Motion of Dr. Cabral</b>	March 22, 2021 <sup>1</sup>
<b>Filing of Class Plaintiffs' Reply Briefs on Class Certification and Rebuttal Expert Reports</b>	March 29, 2021
<b>Filing of Class Plaintiffs' <i>Daubert</i> Motions on Defendants' Class Certification Expert Dr. Johnson</b>	March 29, 2021
<b>Filing of Class Plaintiffs' Oppositions to Defendants' <i>Daubert</i> Motions of Drs. Carter, Mangum, Sunding, and Azari</b>	March 29, 2021
<b>Parties to identify initial set of documents requiring Meet and Confer per order at Dkt. 3727<sup>2</sup></b>	April 12, 2021 <sup>3</sup>
<b>Filing of Defendants' Reply in Support of <i>Daubert</i> Motions Against Class Plaintiffs' Class Certification Expert, Dr. Cabral</b>	April 29, 2021

<sup>1</sup> Certain *Daubert* motion and class certification briefing dates were changed by previous order (Dkt. 4302).

<sup>2</sup> None of the provisions herein related to the exchange of documents and for a meet and confer process per Dkt. 3727 are intended to moot the Court's directives, also in Dkt. 3727, for the parties to continue to try and reach agreement on the authenticity and admissibility of certain documents or categories of documents.

<sup>3</sup> It is understood that all Parties will make a good faith effort to identify by April 12, 2021, all documents which they have identified as requiring Meet and Confer per order at Dkt. 3727, and that the June 18, 2021 deadline is intended to be a much smaller supplemental list. This exchange process also does not preclude the parties from seeking to establish authenticity or admissibility of other documents in advance of trial.

<u>Event</u>	<u>Deadline</u>
<b>Filing of Defendants’ Replies in Support of <i>Daubert</i> Motions Against Class Plaintiffs’ Class Certification Experts Drs. Carter, Mangum Sunding, and Azari</b>	May 20, 2021 <i>See</i> [ECF Dkt. No. 4560]
<b>Parties Respond to Contention Interrogatories Served Prior to February 28, 2021</b>	May 19, 2021
<b>Filing of Defendants’ Oppositions to Class Plaintiffs’ <i>Daubert</i> Motions on Defendants’ Class Certification Experts Dr. Johnson</b>	May 20, 2021
<b>Filing of Class Plaintiffs’ Replies in Support of <i>Daubert</i> Motions on Defendants’ Class Certification Experts Dr. Johnson</b>	June 3, 2021 <sup>4</sup>
<b>Deadline to conclude Meet and Confer regarding initial set of documents per Dkt. 3727</b>	June 4, 2021
<b>Deadline to Complete All Merits Fact Discovery for parties in the case as of January 30, 2021<sup>5</sup></b>	June 11, 2021

<sup>4</sup> The Court understands that Defendants intend to ask for an evidentiary hearing on the class certification motion. If such a hearing is set, it will be set on a date to be determined.

<sup>5</sup> The United States Department of Justice (“DOJ”) has objected to some depositions proceeding due to its pending criminal prosecution and additional investigation. *See* United States’ Motion for Limited Deposition Stay [ECF Dkt. No. 4616]; Sealed Order [ECF Dkt. No. 4577]. The Court’s assumption underlying this Scheduling Order No. 15 is that all Plaintiffs will be able to take the stayed depositions they need to take before they respond to Defendants’ motions for summary judgment and before trial. *See* Transcript of May 7, 2021 Hearing [ECF Dkt. No. 4625], at 21-22.



<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Deadline for Defendants to Complete All Merits Fact Discovery of Direct Action Plaintiffs that file on or after February 1, 2021<sup>6</sup></b>	Six months after date of consolidation in above-captioned matter <sup>7</sup>
<b>Parties to Identify Supplemental Documents for Meet and Confer per Dkt. 3727</b>	June 18, 2021
<b>Plaintiffs to Identify Merits Experts By Topics to Facilitate Scheduling<sup>8</sup></b>	June 21, 2021
<b>Plaintiffs' Affirmative Merits Expert Reports Due</b>	July 2, 2021
<b>Deadline to Conclude Meet and Confer Regarding Supplemental Set of Documents per Dkt. 3727</b>	July 14, 2021
<b>Joint Submission on Any Additional Discovery Requested Per Dkt. 3727</b>	July 21, 2021
<b>Deadline to Depose Plaintiffs' Merits Experts</b>	September 3, 2021

<sup>6</sup> Direct Action Plaintiffs who file on or after February 1, 2021 will not be able to seek discovery of Defendants after the June 11, 2021 close of merits fact discovery without a court order allowing such discovery to occur. The Court understands that certain DAPs object to not being allowed to take discovery of Defendants after the June 11, 2021 fact discovery cut-off date.

<sup>7</sup> For certain DAPs who filed in between February 1, 2021 and the date of this Order, the parties have separately negotiated discovery schedules and will attempt to adhere to those as negotiated. Defendants estimate that they can complete discovery for these DAPs and any others who file after February 1, 2021 as specified in this Order, but note that some larger Direct Action Plaintiffs have taken substantially more than six months to produce documents.

<sup>8</sup> The parties will identify by name any class certification expert who is also serving as a merits expert. However, the parties need not identify by name any new experts disclosed at this time, but instead can refer to them generically such as "Defendant Expert 2," etc.

<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Defendants to Identify Merits Experts By Topics to Facilitate Scheduling<sup>10</sup></b>	September 7, 2021
<b>Defendants' Affirmative &amp; Rebuttal Merits Expert Reports Due</b>	September 17, 2021
<b>Deadline to Depose Defendants' Merits Experts</b>	November 19, 2021
<b>Plaintiffs' Rebuttal Merits Expert Reports Due</b>	December 3, 2021
<b>Deadline to Complete Depositions Previously Requested by U.S. Department of Justice to be Stayed or Partially Stayed</b>	75 days after Department of Justice withdraws its request for a stay of the depositions or as Court otherwise may order
<b>Deadline to Depose Plaintiffs' Rebuttal Merits Experts</b>	January 7, 2022
<b>Summary Judgment Opening Briefs &amp; Merits <i>Daubert</i> Motions Filed<sup>12</sup></b>	January 21, 2022
<b>Summary Judgment Responses &amp; Merits Expert <i>Daubert</i> Responses Filed</b>	March 22, 2022
<b>Summary Judgment Replies &amp; Merits Expert <i>Daubert</i> Replies Filed</b>	April 26, 2022


<sup>10</sup> The parties will identify by name any class certification expert who is also serving as a merits expert. However, the parties need not identify by name any new experts disclosed at this time, but instead can refer to them generically such as "Defendant Expert 2," etc.

<sup>12</sup> Pre-summary judgment motion conference with Judge Durkin to be set on a date to be determined. The parties request that the conference take place at a time shortly after the Court rules on class certification and related motions.

<u>Event</u>	<u>Deadline</u>
First Trial Commences <sup>13</sup>	October 17, 2022

**SO ORDERED.**

Dated: May 13, 2021

  
HON. JEFFREY T. GILBERT  
U.S. MAGISTRATE JUDGE

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<sup>13</sup> The Court will decide the number, sequence, and timing of trials at a later date.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

This Document Relates To: All Actions

Case No. 1:16-cv-08637

**SCHEDULING ORDER NO. 17  
(FOR TRACK 1 ACTIONS)**

This Scheduling Order No. 17 for all actions in which Plaintiffs have opted for Track 1 supersedes the Court's previous Scheduling Order No. 2 (ECF Dkt. 574) issued on December 15, 2017, Scheduling Order No. 6 issued on September 13, 2018 (ECF Dkt. 1230), Scheduling Order No. 9 issued on November 19, 2018 (ECF Dkt. 1416), Scheduling Order No. 12 issued on July 15, 2019 (ECF Dkt. 2322), Scheduling Order No. 13 issued on January 29, 2020 (ECF Dkt. 3420), Scheduling Order No. 14 (ECF Dkt. 3788) issued on August 28, 2020, Scheduling Order No. 15 (ECF Dkt. 4641) issued on May 13, 2021, and Scheduling Order No. 16 (ECF Dkt. 4748) issued on June 17, 2021. The parties are directed to the separate Search Methodology Order (ECF Dkt. 586) for any additional deadlines relating to the search of electronically stored information. Additionally, the Court orders that the requirement of Fed. R. Civ. P. 45(a)(4) for notice to other parties before service of a subpoena shall be 4 business days after the day notice and a copy of the subpoena are provided, which shall be computed pursuant to Fed. R. Civ. P. 6(a)(1).

A party receiving objections or productions from a third party in response to a Rule 45 subpoena will serve a copy of those objections or documents on other parties within 7 days, unless otherwise agreed. A party that receives a non-Bates numbered production (or production without a load file) from a third party in response to a Rule 45 subpoena shall serve those documents on

other parties within 10 days, unless otherwise agreed by the parties. A party receiving a production from a third party in response to a Rule 45 subpoena that includes information relating to a deposition scheduled within 7 days must notify all parties within 48 hours of receipt.

<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Expiration of Stay on Depositions of DOJ-Requested Witnesses and Topics</b>	To be determined by the Court
<b>Deadline to Depose Plaintiffs' Merits Experts<sup>1</sup></b> <b>Defendants to Identify Merits Experts By Topics to Facilitate Scheduling<sup>2</sup></b>	February 11, 2022 (ECF Dkt. 5302)
<b>Defendants' Affirmative &amp; Rebuttal Merits Expert Reports Due</b>	February 21, 2022 (ECF Dkt. 5302)
<b>Deadline to Provide Initial Positions on Documents for Which Admissibility / Authenticity Stipulations Have Been Requested</b>	March 11, 2022
<b>Deadline to Meet and Confer About Authenticity and Business Record Stipulations</b>	April 22, 2022
<b>Joint Submission on Any Additional Discovery Requested Per ECF Dkt. 3727 Concerning Evidentiary Issues Relating to Documents</b>	May 6, 2022
<b>Deadline to Depose Defendants' Merits Experts</b>	July 1, 2022

<sup>1</sup> This deadline does not include the deposition of AWG's liability expert, which the relevant parties agreed to hold on February 15, 2022, with no impact on the remainder of the schedule.

<sup>2</sup> The parties will identify by name any class certification expert who is also serving as a merits expert. However, the parties need not identify by name any new experts disclosed at this time, but instead can refer to them generically such as "Defendant Expert 2," etc.



<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Plaintiffs' Rebuttal Merits Expert Reports Due</b>	July 22, 2022
<b>Deadline to Complete Depositions Previously Requested by U.S. Department of Justice to be Stayed or Partially Stayed<sup>3</sup></b>	To be determined by the Court
<b>Deadline to Depose Plaintiffs' Rebuttal Merits Experts</b>	August 19, 2022
<b>Summary Judgment Opening Briefs &amp; Merits <i>Daubert</i> Motions Filed<sup>4</sup></b>	September 9, 2022
<b>Summary Judgment Responses &amp; Merits Expert <i>Daubert</i> Responses Filed</b>	December 9, 2022
<b>Summary Judgment Replies &amp; Merits Expert <i>Daubert</i> Replies Filed</b>	January 27, 2023
<b>First Trial Commences<sup>5</sup></b>	Fall of 2023 (Start date TBD after the Court has considered the parties' 7/16/2021 trial plan submissions)


<sup>3</sup> The Court's assumption underlying this Scheduling Order No. 17 for Track 1 Plaintiffs is that Plaintiffs will be able to take the stayed depositions they need to take before they respond to Defendants' motions for summary judgment and before trial, as well as the depositions that are the subject of currently-pending motions for protective orders. (See 5/7/21 Hr'g Tr. (ECF Dkt. 4625) at 21-22; ECF Dkts. 4575, 4579, 4585, 4621.) This deadline also may not apply to other discovery that may be deferred by agreement of the parties. Finally, deadline is subject to the outcome of the DOJ's recently motion to extend the stay to May 6, 2022 (ECF Dkt. 5325).

<sup>4</sup> Pre-summary judgment motion conference with Judge Durkin to be set on a date to be determined. The parties request that the conference take place at a time shortly after the Court rules on class certification and related motions.

<sup>5</sup> The Court will decide the number, sequence, and timing of trials at a later date.

**SO ORDERED.**

Dated: February 8, 2022

  
HON. JEFFREY T. GILBERT  
U.S. MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

This Document Relates To: All Actions

Case No. 1:16-cv-08637

**SCHEDULING ORDER NO. 18 FOR  
TRACK 1 ACTIONS**

This Scheduling Order No. 18 for all actions in which Plaintiffs have opted for Track 1 supersedes the Court's previous Scheduling Order No. 17 (ECF Dkt. 5422) issued on February 8, 2022. The parties are directed to the separate Search Methodology Order (ECF Dkt. 586) for any additional deadlines relating to the search of electronically stored information. Additionally, the Court orders that the requirement of Fed. R. Civ. P. 45(a)(4) for notice to other parties before service of a subpoena shall be 4 business days after the day notice and a copy of the subpoena are provided, which shall be computed pursuant to Fed. R. Civ. P. 6(a)(1).

A party receiving objections or productions from a third party in response to a Rule 45 subpoena will serve a copy of those objections or documents on other parties within 7 days, unless otherwise agreed. A party that receives a non-Bates numbered production (or production without a load file) from a third party in response to a Rule 45 subpoena shall serve those documents on other parties within 10 days, unless otherwise agreed by the parties. A party receiving a production from a third party in response to a Rule 45 subpoena that includes information relating to a deposition scheduled within 7 days must notify all parties within 48 hours of receipt.

<b><u>Event</u></b>	<b><u>Deadline</u></b>
<b>Deadline to Depose Defendants' Merits Experts<sup>1</sup></b>	July 1, 2022
<b>Plaintiffs' Rebuttal Merits Expert Reports Due</b>	July 29, 2022
<b>Deadline to Complete Depositions Previously Requested by U.S. Department of Justice to be Stayed or Partially Stayed</b>	August 9, 2022
<b>Deadline to Depose Plaintiffs' Rebuttal Merits Experts</b>	August 26, 2022
<b>Summary Judgment Opening Briefs &amp; Merits <i>Daubert</i> Motions Filed<sup>2</sup></b>	September 16, 2022
<b>Summary Judgment Responses &amp; Merits Expert <i>Daubert</i> Responses Filed</b>	December 16, 2022
<b>Summary Judgment Replies &amp; Merits Expert <i>Daubert</i> Replies Filed</b>	February 3, 2023
<b>First Trial Commences<sup>3</sup></b>	Fall of 2023 (Start date TBD after the Court has considered the parties' 7/16/2021 trial plan submissions)

**SO ORDERED.**

Dated: 7/1/2022

  
HON. JEFFREY T. GILBERT  
U.S. MAGISTRATE JUDGE

<sup>1</sup> This deadline does not include the deposition of Mar-Jac's expert, which the relevant parties agreed to hold by July 8, 2022, with no impact on the remainder of the schedule.

<sup>2</sup> Pre-summary judgment motion conference with Judge Durkin to be set on a date to be determined.

<sup>3</sup> The Court will decide the number, sequence and timing of trials at a later date.